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16 BIOTECH, INC. and Third-Party Defendants GLOBAL PHARMACEUTICAL
SUPPLY GROUP, LLC, CENTOCOR BIOLOGICS, LLC and JOM
PHARMACEUTICAL SERVICES, INC.

17 **UNITED STATES DISTRICT COURT**
18 **CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION**

20 CENTOCOR ORTHO BIOTECH,
21 INC. ,

22 v. Plaintiff,

23 GENENTECH, INC. and CITY OF
HOPE,

24 Defendants.

25
26 AND RELATED COUNTER AND
THIRD-PARTY AFFILIATES

Case No. CV 08-03573 MRP (JEMx)

The Honorable Mariana R. Pfaelzer

**NOTICE OF MOTION AND
MOTION OF CENTOCOR ORTHO
BIOTECH, INC.'S AND ITS
COUNTER-DEFENDANT
AFFILIATES FOR SUMMARY
JUDGMENT THAT CLAIM 33 IS
INVALID FOR FAILURE TO
DISCLOSE THE BEST MODE
(MOTION NO. 6)**

27 Date: August 17, 2010
28 Time: To Be Set
Place: Ctrm. 12

1 TO ALL PARTIES AND TO THEIR ATTORNEYS OF RECORD:

2 PLEASE TAKE NOTICE that at a date and time to be determined, in Courtroom
3 12 of this Court located at 312 North Spring Street, Los Angeles, California 90012,
4 plaintiff for Plaintiff and Counter-Defendant CENTOCOR ORTHO BIOTECH, INC.
5 and Third-Party Defendants GLOBAL PHARMACEUTICAL SUPPLY GROUP, LLC,
6 CENTOCOR BIOLOGICS, LLC and JOM PHARMACEUTICAL SERVICES, INC.
7 will and hereby moves this Court for an Order of Summary Judgment that Claim 33 is
8 invalid for failure to disclose the best mode.

9
10 DATED: July 12, 2010.

CONNOLLY BOVE LODGE & HUTZ LLP

11
12 By: /s/ Keith D. Fraser
13 Keith D. Fraser

14 Attorneys for Plaintiff and Counter-Defendant
15 CENTOCOR ORTHO BIOTECH, INC. and
16 Third-Party Defendants GLOBAL
17 PHARMACEUTICAL SUPPLY GROUP,
18 LLC, CENTOCOR BIOLOGICS, LLC and
19 JOM PHARMACEUTICAL SERVICES,
20 INC.